



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER <i>09/027,654</i>	FILING DATE <i>2/23/98</i>	FIRST NAMED APPLICANT <i>Horton</i>	ATTORNEY DOCKET NO.
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EXAMINER <i>G. Gabel</i>	
ART UNIT <i>1641</i>	PAPER NUMBER <i>28</i>

DATE MAILED:

**INTERVIEW SUMMARY**

All participants (applicant; applicant's representative, PTO personnel):

- (1) *Jeff Sharpe* (3) \_\_\_\_\_  
(2) *Gail Gabel* (4) \_\_\_\_\_

Date of Interview: *6/8/04*

Type: ☒ Telephonic ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative)

Exhibit shown or demonstration conducted: ☐ Yes ☐ No If yes, brief description: \_\_\_\_\_

Agreement ☐ was reached. ☒ was not reached.

Claim(s) discussed: *of record*

Identification of prior art discussed: *of record*

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

*Mr. Sharp explained why the combination of Lundin as 1<sup>st</sup> reference with Khana as 2<sup>nd</sup> reference is flawed and pointed to Declaration by Horton in Paper No. 18 wherein the issue of assay type is addressed and rendered non-contributable for purposes of lysis and agglutination*

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

1. ☐ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a response to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

2. ☐ Since the Examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the interview unless box 1 above is also checked.

Examiner Note: You must sign this form unless it is an attachment to another form.